

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NICK PEARSON, FRANCISCO
PADILLA, CECILIA LINARES,
AUGUSTINA BLANCO, ABEL
GONZALEZ, and RICHARD JENNINGS,
On Behalf of Themselves and All Others
Similarly Situated,

Plaintiffs,

v.

NBTY, INC., a Delaware corporation; and
REXALL SUNDOWN, INC., a Florida
corporation; and TARGET
CORPORATION, a Minnesota
Corporation,

Defendants.

Case No.: 11 CV 07972

CLASS ACTION

Judge James B. Zagel

**NOTICE OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

To: All Parties and Their Attorneys of Record:

PLEASE TAKE NOTICE that on Thursday May 16, 2013 at 9:30 a.m. or as soon thereafter as counsel may be heard, counsel shall appear before the Honorable James B. Zagel, in courtroom 2503, 219 South Dearborn Street, the courtroom usually occupied by him, and shall then and there present Plaintiffs' Motion for Preliminary Approval of Class Settlement, a copy of which is attached hereto.

DATED: May 7, 2013

s/ Stewart M. Weltman

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(Of Counsel Levin Fishbein Sedran & Berman)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 7th day of May, 2013, a copy of the foregoing NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT was filed with the Clerk of Court using the CMM/ECF system which will send notification of such filing to the following:

Kara L. Mcall
Sidley Austin LLP
One South Dearborn Street
Chicago, IL 60603

Counsel for Defendant Target Corporation

s/Stewart M. Weltman
One of Plaintiff's Attorneys